

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JEFFREY ZIBBELL and
CHERYL ZIBBELL,

Plaintiffs,

V.

JENNIFER GRANHOLM, et al.,

Defendants.

Case No. 2:07-cv-96
HON. R. ALLAN EDGAR

MEMORANDUM AND ORDER

On March 19, 2008, Magistrate Judge Timothy P. Greeley submitted a report and recommendation on various motions that are pending before the Court. [Doc. No. 140]. Plaintiffs have filed objections. [Doc. Nos. 147, 149, 151, 154, 156, 159].

After reviewing the record *de novo*, the Court finds that the plaintiffs' objections are without merit and are **DENIED**. The Court agrees with the Magistrate Judge's findings of fact and conclusions of law. The Court hereby **ACCEPTS and ADOPTS** the report and recommendation pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72, and W.D. Mich. LCivR.72.3.

Accordingly, the plaintiffs' motion for a further hearing before the District Judge [Doc. No. 161] is **DENIED**.

The motion by defendants Michigan Department of Community Mental Health and Michigan Department of Human Services to dismiss the plaintiffs' complaint under Fed. R. Civ. P. 12(b)(6)

[Doc. No. 60] is **GRANTED**. The motion by defendant Upper Peninsula Power Company to dismiss the plaintiffs' complaint under Fed. R. Civ. P. 12(b)(6) [Doc. No. 94] is **GRANTED**. The motion by defendant Marquette County Resource Management to dismiss the plaintiffs' complaint under Fed. R. Civ. P. 12(b)(6) [Doc. No. 107] is **GRANTED**. The motion for summary judgment by defendants Alger-Marquette Community Action Board and Marvin Plotezka [Doc. No. 91] is **GRANTED** pursuant to Fed. R. Civ. P. 56. The plaintiffs' entire complaint shall be **DISMISSED WITH PREJUDICE** as to all defendants.

The following motions filed by the plaintiffs are all **DENIED**: motion for summary judgment [Doc. No. 38]; request for direction from the Court [Doc. No. 30]; motions for preliminary injunction [Doc. Nos. 21, 43]; motions for default judgment [Doc. Nos. 54, 126]; motion for restraining order [Doc. No. 66]; motion for order to declare loss [Doc. No. 83]; motions to serve parties [Doc. Nos. 87, 118]; motion to disqualify counsel [Doc. No. 115]; motion to "reject," i.e. motion to strike [Doc. No. 136]; and motion to expedite decision [Doc. No. 137].

A separate final judgment will be entered.

SO ORDERED.

Dated: April 14, 2008.

/s/ R. Allan Edgar
R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE